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June 28, 2004

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BY FAX

Examiner P. Ponnaluri
Art Unit 1639

Subject: U.S. Patent Application of Alan S. Waggoner
Serial No. 09/740,486
Confirmation No. 6161
Attorney Docket No. 4091-2

Dear Examiner Ponnaluri,

Confirming our telephone conversation of this morning, I am advised the Amendment and response I submitted on May 17, 2004 is not part of the official file so it is presumed to be lost. This letter is written at your suggestion.

Attached is a true and correct copy of the Amendment After Final Rejection I filed on May 17, 2004 and a copy of the post card receipt dated May 17, 2004 as proof of its filing. An extension fee of \$110.00 was also paid on the same date. If the Office is not able to locate the fee payment authorization is give to charge our deposit account no. 14-1140 in the relevant amount.

Please process the attached papers and act on this after final Amendment as soon as possible.

Very truly yours,

NIXON & VANDERHYE P.C.

By: 

Arthur R. Crawford

ARC:cau

Attachments

857668

Serial No.: 09/740486
Applicant: Wasson
Title: Cyanine dyes
X Labeling Agents
Amendment After Filing
Pages Specification
Claims
Sheets Drawings: Formal
Informal
Declaration (Pages)
Assignment
Priority Document
H000 Base Issue Fee Transmittal
Fee (Check)
Other: One md efr

Atty: ARE
Date: 5/17/04
Client: 4091-2
Ref:



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**RESPONSE UNDER RULE 116
EXPEDITED HANDLING PROCEDURES**

In re Patent Application of

Atty Dkt. 4091-2

C# M#

WAGGONER

TC/A.U.

1639

Serial No. 09/740,486

Examiner: Ponnaluri

Filed: December 19, 2000

Date: May 17, 2004

Title: CYANINE DYES AS LABELING REAGENTS FOR DETECTION OF BIOLOGICAL
AND OTHER MATERIALS BY LUMINESCENCE METHODS**RECEIVED**
CENTRAL FAX CENTER

JUN 28 2004

Mail Stop AFCommissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

RESPONSE/AMENDMENT/LETTER

This is a response/amendment/letter in the above-identified application and includes an attachment which is hereby incorporated by reference and the signature below serves as the signature to the attachment in the absence of any other signature thereon.

☐ **Correspondence Address Indication Form Attached.****Fees are attached as calculated below:**

| | | | | |
|--|----|----------------------|---|------------|
| Total effective claims after amendment | 6 | minus highest number | | |
| previously paid for | 20 | (at least 20) = | 0 | x \$ 18.00 |
| | | | | \$ 0.00 |

| | | | | |
|------------------------------------|---|----------------------|---|------------|
| Independent claims after amendment | 3 | minus highest number | | |
| previously paid for | 3 | (at least 3) = | 0 | x \$ 86.00 |
| | | | | \$ 0.00 |

| | |
|--|---------|
| If proper multiple dependent claims now added for first time, add \$290.00 (ignore improper) | \$ 0.00 |
|--|---------|

| | |
|--|-----------|
| Petition is hereby made to extend the current due date so as to cover the filing date of this paper and attachment(s) (\$110.00/1 month; \$420.00/2 months; \$950.00/3 months) | \$ 110.00 |
|--|-----------|

| | |
|---|---------|
| Terminal disclaimer enclosed, add \$ 110.00 | \$ 0.00 |
|---|---------|

| | |
|---|---------|
| <input type="checkbox"/> First/second submission after Final Rejection pursuant to 37 CFR 1.129(a) (\$770.00) | \$ 0.00 |
|---|---------|

☐ Please enter the previously unentered, filed☐ Submission attached**Subtotal \$ 110.00**

| | |
|---|----------|
| If "small entity," then enter half (1/2) of subtotal and subtract | -\$ 0.00 |
|---|----------|

☐ Applicant claims "small entity" status. ☐ Statement filed herewith

| | |
|--|---------|
| Rule 56 Information Disclosure Statement Filing Fee (\$180.00) | \$ 0.00 |
|--|---------|

| | |
|------------------------------------|---------|
| Assignment Recording Fee (\$40.00) | \$ 0.00 |
|------------------------------------|---------|

| | |
|--------|------|
| Other: | 0.00 |
|--------|------|

TOTAL FEE ENCLOSED \$ 110.00

The Commissioner is hereby authorized to charge any deficiency, or credit any overpayment, in the fee(s) filed, or asserted to be filed, or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Account No. 14-1140. A duplicate copy of this sheet is attached.

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ARC:eaw

NIXON & VANDERHYE P.C.

By Atty: Arthur R. Crawford, Reg. No. 25,327

Signature: 

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JUN 28 2004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

WAGGONER

Atty. Ref.: 4091-2; Confirmation No. 6161

Appl. No. 09/740,486

TC/A.U. 1639

Filed: December 19, 2000

Examiner: Ponnaluri

For: CYANINE DYES AS LABELING REAGENTS FOR DETECTION OF
BIOLOGICAL AND OTHER MATERIALS BY LUMINESCENCE METHODS

* * * * *

May 17, 2004

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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

AMENDMENT AFTER FINAL REJECTION

Applicants hereby submit this in response to the Office Action mailed January 23, 2004 ("Office Action").

A response to the Office Action was originally due April 23, 2004. Applicants hereby petition for a one-month extension of time in which to submit a response or an amendment in response to the Office Action. The fee for a one-month extension of time is \$110 and a check in that amount is enclosed. Therefore, the deadline for responding to the Office Action is now May 23, 2004. Accordingly, this Amendment and Response is being timely filed.

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